

Union Calendar No. 244

108TH CONGRESS
2D SESSION

H. R. 2707

[Report No. 108–424, Part I]

To direct the Secretaries of the Interior and Agriculture, acting through the U.S. Forest Service, to carry out a demonstration program to assess potential water savings through control of Salt Cedar and Russian Olive on forests and public lands administered by the Department of the Interior and the U.S. Forest Service.

IN THE HOUSE OF REPRESENTATIVES

JULY 10, 2003

Mr. PEARCE (for himself, Mr. STENHOLM, Mr. MCINNIS, Mrs. WILSON of New Mexico, Mr. HUNTER, Mr. BONILLA, Mr. RENZI, Mr. CANNON, Mr. MATHESON, Mr. THORNBERRY, Mr. GRIJALVA, Mr. MORAN of Kansas, and Mr. OSBORNE) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

FEBRUARY 24, 2004

Reported from the Committee on Resources with amendments

[Strike out all after the enacting clause and insert the part printed in *italic*]

FEBRUARY 24, 2004

Additional sponsors: Mr. UDALL of New Mexico, Mr. UDALL of Colorado, Mr. CARDOZA, Mr. FILNER, Mr. BEAUPREZ, and Mrs. CUBIN

FEBRUARY 24, 2004

Referral to the Committee on Agriculture extended for period ending not later than February 29, 2004

FEBRUARY 24, 2004

Committee on Agriculture discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on July 10, 2003]

A BILL

To direct the Secretaries of the Interior and Agriculture, acting through the U.S. Forest Service, to carry out a demonstration program to assess potential water savings through control of Salt Cedar and Russian Olive on forests and public lands administered by the Department of the Interior and the U.S. Forest Service.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Salt Cedar and Russian*
5 *Olive Control Assessment and Demonstration Act”.*

6 **SEC. 2. ASSESSMENT OF SALT CEDAR AND RUSSIAN OLIVE**
7 **INFESTATION IN WESTERN UNITED STATES.**

8 *(a) ASSESSMENT.—Not later than one year after the*
9 *date on which funds are first made available to carry out*
10 *this section, the Secretary of the Interior, in consultation*
11 *with the Secretary of Agriculture (in this Act referred to*
12 *as the “Secretaries”), shall complete an assessment of the*
13 *extent of Salt Cedar and Russian Olive invasion in the*
14 *Western United States.*

15 *(b) CONTENT.—The assessment shall include the fol-*
16 *lowing:*

17 *(1) To the extent practicable, documentation of*
18 *the quantity of water lost due to the infestation.*

1 (2) *Documentation of the quantity of water*
2 *saved due to various control methods, including the*
3 *portion of saved water that returns to surface water*
4 *or groundwater supplies and at what rates.*

5 (3) *Determination of the optimum control*
6 *method for the various land types and land uses.*

7 (4) *Determination of what conditions indicate*
8 *the need to remove such growth and the optimal*
9 *methods for disposal or use of such growth.*

10 (5) *The methods to prevent re-growth and re-in-*
11 *troduction of these invasive species.*

12 (c) *REPORT ON ASSESSMENT.—*

13 (1) *PREPARATION AND CONTENT.—The Secre-*
14 *taries shall prepare a report containing the results of*
15 *the assessment. The report shall identify long-term*
16 *management and funding strategies that could be im-*
17 *plemented by Federal, State, Tribal, and private land*
18 *managers and owners on all land management types*
19 *to address the invasion of Salt Cedar and Russian*
20 *Olive. The report shall also identify deficiencies or*
21 *areas for further study and where actual field dem-*
22 *onstrations would be useful in the control effort.*

23 (2) *SUBMISSION.—The Secretaries shall submit*
24 *the report to the Committee on Resources and the*
25 *Committee on Agriculture of the House of Representa-*

1 *tives and the Committee on Agriculture, Nutrition,*
 2 *and Forestry and the Committee on Energy and Nat-*
 3 *ural Resources of the Senate.*

4 *(d) SUPPORT FOR IDENTIFICATION OF LONG-TERM*
 5 *MANAGEMENT AND FUNDING STRATEGIES.—The Secre-*
 6 *taries may make grants to institutions of higher education*
 7 *or nonprofit organizations (or both) with an established*
 8 *background and expertise in the public policy issues associ-*
 9 *ated with the control of Salt Cedar and Russian Olive to*
 10 *obtain technical experience, support, and recommendations*
 11 *related to the identification of the long-term management*
 12 *and funding strategies required to be included in the report*
 13 *under subsection (c)(1). Each grant awarded under this*
 14 *subsection may not be less than \$250,000.*

15 *(e) WESTERN UNITED STATES DEFINED.—In this sec-*
 16 *tion and section 3, the term “Western United States” refers*
 17 *to the States defined by the 1902 Reclamation Act (43*
 18 *U.S.C. Chapter 12), which includes Arizona, California,*
 19 *Colorado, Idaho, Kansas, Montana, Nebraska, Kansas,*
 20 *Oklahoma, Nevada, New Mexico, Oregon, Texas, Utah,*
 21 *Washington, and Wyoming.*

22 **SEC. 3. DEMONSTRATION PROGRAM FOR CONTROL OF SALT**
 23 **CEDAR AND RUSSIAN OLIVE IN WESTERN**
 24 **STATES.**

25 *(a) DEMONSTRATION PROJECTS.—*

1 (1) *PROJECTS REQUIRED.*—Based on the results
2 of the assessment and report in section 2, the Secre-
3 taries shall initiate a program of not fewer than three
4 demonstration projects in the Western United States
5 designed to address the deficiencies and areas for fur-
6 ther study to address the invasion of Salt Cedar and
7 Russian Olive, including the test of additional control
8 methods, identified by the report.

9 (2) *IMPLEMENTATION.*—The Secretaries may
10 enter into an agreement with a State in the Western
11 United States to carry out a demonstration project.
12 If the Secretaries select a demonstration project for
13 implementation on National Forest System lands, the
14 Secretary of Agriculture shall be responsible for im-
15 plementation of the project.

16 (b) *ELEMENTS OF PROJECTS.*—

17 (1) *DESIGN AND SCALE.*—Each demonstration
18 project shall be designed with integrated methods and
19 adaptive management strategies and carried out over
20 time frames and spatial scales large enough to accom-
21 plish the goals laid out in the report.

22 (2) *SCIENTIFIC REVIEW.*—Before being carried
23 out, the methods and strategies proposed for each
24 demonstration project shall be subject to review by
25 scientific experts, including non-Federal experts, se-

1 lected by the Secretaries. The Secretaries may use ex-
2 isting scientific review processes to the extent they
3 comply with this requirement.

4 (c) *PROJECT COSTS AND COST SHARING.*—The total
5 cost of each demonstration project may not exceed
6 \$7,000,000, including the costs of planning, design, imple-
7 mentation, revegetation, maintenance, and monitoring. In
8 the case of a demonstration project conducted on lands
9 under the jurisdiction of the Secretary of the Interior or
10 the Secretary of Agriculture, the Secretaries may accept, but
11 not require, funds or in-kind contributions, including State
12 agency provided services. The Federal share of the costs of
13 any activity on private lands funded under the project shall
14 be no more than 75 percent of the total cost of the activity.

15 (d) *REPORTING REQUIREMENT.*—During the period in
16 which the demonstration projects are carried out, the Secre-
17 taries shall submit to the congressional committees specified
18 in section 2(c)(2) an annual report describing—

19 (1) the demonstration projects;

20 (2) the progress made in carrying out the
21 projects during the period covered by the report; and

22 (3) the costs of the projects under subsection (c).

23 (e) *MONITORING.*—Demonstration projects shall in-
24 clude the following:

1 (1) *Documentation of the quantity of water*
 2 *saved due to various control methods, including the*
 3 *portion of water saved that returns to surface water*
 4 *or groundwater supplies and at what rates.*

5 (2) *Optimal re-vegetative states to prevent re-*
 6 *growth and reintroduction of Salt Cedar and Russian*
 7 *Olive.*

8 (f) *COOPERATION.—The Secretaries shall use the ex-*
 9 *pertise of their various agencies, as well as other Federal*
 10 *agencies, institutions of higher education, State and local*
 11 *governments and political subdivisions thereof, including*
 12 *soil and water conservation districts, and Indian tribes,*
 13 *which are actively conducting assessments on or imple-*
 14 *menting Salt Cedar and Russian Olive control activities.*

15 **SEC. 4. RELATION TO OTHER AUTHORITY.**

16 *Nothing in this Act shall be construed to affect, or oth-*
 17 *erwise bias, the use by the Secretaries of other statutory or*
 18 *administrative authorities to plan or conduct Salt Cedar*
 19 *or Russian Olive control and eradication that is not*
 20 *planned or conducted under this Act.*

21 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

22 (a) *ASSESSMENT.—There are authorized to be appro-*
 23 *priated to the Secretaries \$5,000,000 for fiscal year 2004*
 24 *to conduct the assessment required by section 2.*

1 (b) *GRANTS.—There are authorized to be appropriated*
2 *to the Secretaries \$1,000,000 for fiscal year 2004 to award*
3 *as grants under section 2(d).*

4 (c) *DEMONSTRATION PROJECTS.—There are author-*
5 *ized to be appropriated to the Secretaries \$25,000,000 for*
6 *each of the fiscal years 2005 through 2010 to carry out the*
7 *program of demonstration projects under section 3.*

Amend the title to read as follows: “A bill to provide for an assessment of the extent of the invasion of Salt Cedar and Russian Olive on lands in the Western United States and efforts to date to control such invasion on public and private lands, including tribal lands, and to direct the Secretary of the Interior, in consultation with the Secretary of Agriculture, to carry out a demonstration program to address any shortcomings in current control efforts, and for other purposes.”.

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